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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/678,502	10/03/2003	Donna Christine Billera	605508-000003	1934
29858	7590	05/20/2008	EXAMINER	
THELEN REID BROWN RAYSMAN & STEINER LLP			ALMATRAHI, FARIS S	
PO BOX 640640				
SAN JOSE, CA 95164-0640			ART UNIT	PAPER NUMBER
			3627	
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			05/20/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/678,502	BILLERA, DONNA CHRISTINE	
	<b>Examiner</b>	<b>Art Unit</b>	
	FARIS ALMATRAHI	3627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 04 April 2008.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-48 is/are pending in the application.  
 4a) Of the above claim(s) 1-4 and 28-48 is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 5-27 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____ .                                    |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>02/23/04</u> .  | 6) <input type="checkbox"/> Other: _____ .                        |

***Status of the Application***

1. **Claims 1-48** are pending in this application.
2. Applicant's election without traverse of Invention II in the reply filed on April 4, 2008 is acknowledged.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 5-18, and 21-27** are rejected under 35 U.S.C. 102(e) as being anticipated by Langseth et al. (US Patent No. 6,658,093 B1).
5. Regarding claim 5, Langseth discloses a method for facilitating voice-activated inventory access using a system that has automated primary capabilities and live assistance capabilities for secondary support, the method comprising: receiving speech signals from user utterances (Column 16 lines 1-11); matching the speech signals using a voice recognition module (Column 16 lines 1-11); generating a menu of system transaction options for the user from a library, wherein the library includes at least one database (Figure 9, Column 21 lines 2-23); receiving a user selection from the menu of

system transaction options (Figures 9-10); presenting an inventory to the user that correlates with the user's menu selection (Figures 9-10); receiving a user selection from the inventory presented (Figures 9-10); interfacing with inventory and flight tracking sources (Column 6 lines 57-61); and confirming the user selected inventory, wherein the user is able to exit the automated system and receive live assistance on demand (Abstract, Column 27 lines 35-49).

6. Regarding claim 6, Langseth discloses a method further comprising creating a user profile that contains basic identifying information (Column 5 lines 20-29).
7. Regarding claim 7, Langseth discloses a method further comprising storing the user profile in an identification/authorization database (Column 18 lines 46-57).
8. Regarding claim 8, Langseth discloses a method wherein the user utterances are received from a user interface (Figure 3a).
9. Regarding claim 9, Langseth discloses a method wherein the user interface is a telephone (Figure 3a).
10. Regarding claim 10, Langseth discloses a method wherein the matching of the speech signals by the voice recognition module facilitates voice verification that the user is an authorized user of the system (Column 31 lines 38-43).
11. Regarding claim 11, Langseth discloses a method wherein an access code is used to verify that the user is an authorized user of the system (Column 31 lines 26-43).
12. Regarding claim 12, Langseth discloses a method further comprising creating a user template that is accessed once the user identity has been verified, wherein the

user template includes rules and information regarding the user's profile (Column 17 lines 7-29).

13. Regarding claim 13, Langseth discloses a method wherein the inventory is generated from multiple suppliers of travel products and travel related services (Figure 10).

14. Regarding claim 14, Langseth discloses a method wherein the system uses voice prompted scripts to communicate with the user (Figure 10).

15. Regarding claim 15, Langseth discloses a method wherein the inventory access system facilitates ascertaining the availability and pricing information of one or more seats on airline flights (Column 12 lines 24-38).

16. Regarding claim 16, Langseth discloses a method wherein the inventory access system further comprises a library of information that includes a variety of databases (Column 9 lines 25-30).

17. Regarding claim 17, Langseth discloses a method wherein the system incorporates a switch engine that accepts and processes information from the voice recognition module and the library, and also accepts and processes information concerning inventory of a supplier's travel products and services (Column 24 lines 26-34).

18. Regarding claim 18, Langseth discloses a method wherein the system further comprises an adjunct client interface that transmits copies of trip itineraries and receipts for completed transaction (Column 9 lines 13-15).

19. Regarding claim 21, Langseth discloses a method wherein the method facilitates retrieving information about an existing itinerary (Column 17 lines 30-47).
20. Regarding claim 22, Langseth discloses a method wherein the method facilitates canceling an existing itinerary (Abstract, Column 12 lines 8-13).
21. Regarding claim 23, Langseth discloses a method wherein the method facilitates modifying a trip itinerary (Abstract, Column 12 lines 18-13).
22. Regarding claim 24, Langseth discloses a method wherein the method facilitates setting a watching function for an arriving or departing flight that monitors the status of the flight and reports any significant changes to the user (Column 7 lines 12-20, Column 12 lines 24-37).
23. Regarding claim 25, Langseth discloses a method wherein the method facilitates obtaining information about a scheduled airline flights (Abstract, Column 12 lines 24-37).
24. Regarding claim 26, Langseth discloses a method wherein the method facilitates receiving courtesy message about an existing trip (Abstract, Column 12 lines 18-13).
25. Regarding claim 27, Langseth discloses a method wherein the inventory and flight tracking sources include at least one from the group consisting of: an airlines computer reservation system, a global distribution system, an airline inventory of available seats, and hotel inventory of open rooms (Abstract, Column 9 lines 16-39).

***Claim Rejections - 35 USC § 103***

26. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

27. **Claims 19 and 20**, are rejected under 35 U.S.C 103(a) as being unpatentable over Langseth et al. (US Patent No. 6,658,093 B1) in view of Official Notice.

28. Regarding claim 19, Langseth fails to explicitly disclose a method wherein creating a trip itinerary is in response to a "schedule" voice command.

29. However, Examiner takes official notice that it would have been obvious to one of ordinary skill in the art at the time the invention was made to include a method wherein creating a trip itinerary is in response to a "schedule" voice command, for the advantage of providing customers with flexible voice prompt input recognition.

30. Regarding claim 20, Langseth fails to explicitly disclose a method wherein the voice commands include at least one command from the group consisting of: "agent," "repeat," "start over," "good-bye," and "main menu."

31. However, Examiner takes official notice that it would have been obvious to one of ordinary skill in the art at the time the invention was made to include in the Langseth reference at least one voice command from the group consisting of: "agent," "repeat," "start over," "good-bye," and "main menu.", for the advantage of providing customers with flexible voice prompt input recognition.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faris Almatrahi whose telephone number is (571) 270-3326. The examiner can normally be reached on Monday to Friday 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ryan Zeender can be reached on (571) 272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/F. Ryan Zeender/  
Supervisory Patent Examiner, Art Unit 3627

/Faris Almatrahi/  
Examiner, Art Unit 3627

FA